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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

IN RE META PIXEL TAX FILING CASES

Master File No.: 5:22-cv-07557-PCP (VKD)

This document relates to:

**SUPPLEMENTAL DECLARATION OF
MICHAEL LISKOW IN SUPPORT OF
MOTION FOR VOLUNTARY
DISMISSAL OF PLAINTIFF CRYSTAL
CRAIG'S CLAIMS WITH PREJUDICE
PURSUANT TO RULE 41(a)(2)**

All Actions

The Honorable P. Casey Pitts

1 I, MICHAEL LISKOW, declare as follows:

2 1. I am an attorney admitted to practice in this Court.

3 2. I am a member of the law firm of George Feldman McDonald, PLLC, who
4 along with the law firms Bursor & Fisher, P.A., Smith Krivoshey, P.C., The Hoda Law Firm,
5 PLLC, Lockridge Grindal Nauen PLLP, Foster Yarborough PLLC, and Emerson Firm, PLLC,
6 represent Plaintiffs in the above-captioned matter.

7 3. I have personal knowledge of the facts set forth herein and, if called as a
8 witness, could and would testify competently to them.

9 4. Plaintiffs' counsel conducted three meet and confers with Meta's counsel
10 concerning Craig's dismissal. During the initial meet and confer, Plaintiff's counsel asked
11 Meta's counsel to explain why Craig was unique to the action, and Meta's counsel said it would
12 consider the issue in advance of the next meet and confer. Meta's counsel did not provide this
13 information in any of the following meet and confers.

14 5. During the parties' May 15, 2025 meet and confer, Plaintiffs' counsel agreed to
15 speak with Craig about whether she was willing to provide Meta, despite potential attorney-client
16 privilege concerns, detailed information about the reasons Craig could no longer proceed with
17 the litigation, and not just why she could not sit for a deposition. Plaintiffs' counsel did not state
18 that they would contact Craig to determine for the first time why she was "refusing to appear for
19 her deposition."

20 6. On March 27, 2025, Plaintiffs suggested a date of May 2, 2025 for Craig's
21 deposition. Meta failed to confirm this date and did not suggest an alternative date by May 1,
22 2025, when Plaintiffs informed Meta that Craig could not proceed with the litigation.

23 7. Plaintiffs filed the Motion to Dismiss Plaintiff Craig ("Motion") on June 5,
24 2025, and noticed the hearing date for July 31, 2025, the earliest date available under the rules
25 when considering the Court's availability.

26 8. On June 6, 2025, Meta amended Craig's notice of deposition to finally provide
27 a date for the deposition, June 26, 2025. As this date was before the July 31, 2025 hearing on
28 the Motion, Plaintiffs' counsel informed Meta by email on June 10, 2025 that Plaintiffs would

1 be forced to move to quash the deposition notice. Plaintiffs also proposed, in the alternative, that
2 Meta move the notice date of Craig's deposition until late August or September, thereby
3 providing the Court sufficient time to hear and rule on the Motion and mooting the need for
4 Plaintiffs to move to quash.

5 9. On June 11, 2025, Meta's counsel responded that Meta was only willing to
6 reschedule the Craig deposition in "June or early July." As this was still long before the Court
7 would hear the Motion, Plaintiffs commenced preparing a Joint Discovery Dispute Letter which
8 was filed with Judge DeMarchi on June 18, 2025 (the "Dispute Letter" concerning the "Motion
9 to Quash"). Judge DeMarchi has yet to respond to the Dispute Letter.

10 10. On June 23, 2025, the Court granted the parties' stipulation and proposed order
11 moving the deadline for Plaintiffs' motion for class certification from July 21, 2025 until August
12 18, 2025. *See* ECF No. 195 at 2. In light of this, and Meta's prior statements that it would agree
13 to reschedule Craig's deposition to a date sufficiently in advance of Plaintiffs' class certification
14 motion deadline, on June 23, 2025, Plaintiffs' counsel emailed Meta's counsel to request that the
15 noticed date for Craig's deposition be moved to the weeks of August 4-8 or August 11-15, 2025.
16 In exchange, Plaintiffs agreed to withdraw their Motion to Quash, as moving the deposition date
17 would moot the purpose of the motion.

18 11. On June 26, 2024, Meta's counsel responded by email that "Meta 'remains
19 willing to reschedule Craig's deposition for a time . . . sufficiently in advance of when plaintiffs'
20 motion for class certification is due' IF plaintiffs agreed to present Ms. Craig for deposition.
21 Meta does not agree to move Ms. Craig's deposition to a different date on which she will also
22 refuse to appear, which is all plaintiffs are offering. Accordingly, at this point, it seems to make
23 the most sense for the Court to decide whether Ms. Craig must appear for her noticed deposition
24 by ruling on plaintiffs' motion."

25 12. I declare under penalty of perjury under the laws of the United States of
26 America that the foregoing is true and correct.

Executed on June 27, 2025.

/s/ Michael Liskow

Michael Liskow